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In re Application of	:	OFFICE OF PETITIONS
Morikawa et al.	:	
Application No. 09/989388	:	
Filing or 371(c) Date: 11/21/2001	:	
Attorney Docket Number:	:	
MORIKAWA4A	:	ON PETITION

This is a decision on the Request to Withdraw Holding of Abandonment, filed October 4, 2006. The Request is properly treated under 37 CFR 1.181. The delay in treating this petition is regretted.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed March 23, 2006. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No response having been received, the application became abandoned on June 24, 2006. A Notice of Abandonment was mailed September 27, 2006.

Applicant's Assertion


Applicant files the instant petition and asserts that a timely reply to the Office action, including an amendment and an extension of time request and fee, were filed on September 22, 2006. In support of this assertion applicant files a copy of the reply, along with a copy of his return-receipt postcard which acknowledges receipt by this Office of an amendment, extension of time and fee on September 22, 2006.

A review of Office records also reveals that the Office received an amendment and the fee for a three (3) month extension of time on September 22, 2006.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

The application will be referred to Technology Center Art Unit 1643 for continued examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
Attorney
Office of Petitions